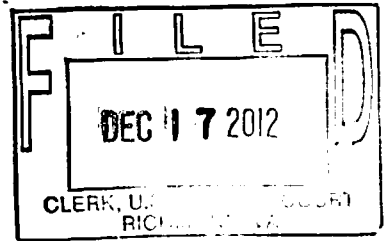


**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**



RACHID NAIM,

Plaintiff,

v.

Civil Action No. 3:11cv168

SAMUEL I. WHITE, P.C.,

Defendant.

**ORDER**

Having conducted a status conference by telephone on November 14, 2012, the Court issued an ORDER (Docket No. 36) on November 15, 2012 wherein, in paragraph 3, the Court directed counsel to submit a proposed schedule for deadlines for discovery and motions in the case. Thereafter, counsel tendered a proposed AGREED SCHEDULING ORDER which, considering that the lead case was filed on March 17, 2011, and that these actions were consolidated on December 8, 2011, is inconsistent with the requirement that cases be adjudicated efficiently and expeditiously. Accordingly, and recognizing that the parties are continuing to engage in settlement negotiations, but mindful that settlement negotiations and pretrial discovery certainly can, and, in this case must, occur simultaneously, it is hereby ORDERED that:

(1) the trial of this case shall be held on May 5, 2013 beginning at 9:30 a.m.;

(2) the Final Pretrial Conference shall be held at 10:00 a.m. April 22, 2013;

(3) all discovery, fact and expert, shall be concluded by March 1, 2013;

(4) any motions for summary judgment shall be filed on March 5, 2013; responses thereto shall be filed on March 15, 2013; and replies shall be filed on March 19, 2013;

(5) a summary judgment hearing, if the Court determines one is necessary, shall be held on March 28, 2013 at 10:00 a.m.;

(6) all motions *in limine* shall be filed on April 1, 2013; responses thereto shall be filed on April 8, 2013; and replies shall be filed on April 12, 2013;

(7) motions *in limine* shall be orally argued, if the Court concludes that argument is necessary, at 10:00 a.m. April 16, 2013;

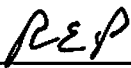
(8) the provisions of Pretrial Schedule A, which is attached to the Scheduling Order entered herein on August 16, 2011 (Docket NO. 16), shall be in effect to the extent not addressed by other provisions of this Order; provided, however, that the deadlines therein shall be measured from the date of the Final Pretrial Conference, rather than from the trial date;

(9) the provisions of the Jury Pretrial Order entered herein on September 26, 2011 (Docket No. 21) specifying the contents of a Final Pretrial Conference Order shall be in effect;

(10) the parties, having agreed to continue settlement discussions and to participate in a mediation/settlement conference on or before January 18, 2013, it is hereby ORDERED that such conference shall be held on or before that date.

The Clerk is directed to send a copy of this Order shall be delivered to the mediator by counsel for the plaintiff.

It is so ORDERED.

\_\_\_\_\_/s/   
Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: December 17, 2012